

## FOR A CORRUPTION INQUIRY

NEARLY PASSES BOTH HOUSES  
AFTER SENATE DEBATE.Senator Hinman's Motion to Reconsider  
Amendment Providing for Investigation  
of Industrial Life Insurance Is  
Lost No Debate in the Assembly.

ALBANY, May 24.—The resolution providing for the appointment of three Senators and five Assemblymen to investigate all forms and manner of corruption past or present in connection with the Legislature, legislation, the administration of the State departments or any branch of the State government—in fact to investigate every one and anything, no matter where the trail may lead, has been adopted finally by both the Senate and Assembly. This committee is to be appointed by Lieut.-Gov. Horace White and Speaker James W. Wadsworth, Jr. The names of the committee will be announced on Thursday or Friday.

The Senate to-day by a vote of 19 to 23 defeated Senator Hinman's motion to reconsider the vote by which the Senate last week adopted the investigating resolution, and then the resolution went to the Assembly for concurrence in the Senate amendment providing specifically for an investigation of industrial life insurance. The Assembly promptly concurred in this amendment and now all that remains is for the appointment of the committee, which will get to work shortly after the Legislature adjourns.

This was the way the Senators voted on the Hinman resolution:

Ayes—Allen, Bayne, Brough, Burlingame, Davenport, Gardner, Gledhill, Griffith, Hamilton, Hewitt, Hinman, Hubbs, Newcomb, Schulz, Thomas, Travis, and Wainwright.

Noes—Alt, Caffrey, Costa, Cobb, Cordia, Cronin, Cullen, Davis, Emerson, Fawley, Grady, Gratton, Harden, Hart, Heacock, Hill, Holden, Kissel, McKenzie, McManus, Meade, Platt, Ramsperger, Schlosser, Stillwell, C. D. Sullivan, Wagner, White and Witter.

Senator Brackett was not present when the vote was taken and Senators T. D. Sullivan and Rose were absent, having been excused.

Senator Hinman declared that the resolution might be changed in half a dozen particulars, in fact none of its provisions seemed to suit him, especially the provision providing for an investigation of industrial insurance. He did not believe that the committee should be confined to investigating verified charges upon knowledge.

Senator Newcomb believed that there was no well developed sensitiveness to public opinion in the Legislature.

"You never read a newspaper or a magazine article or listen to an address of some personage not in public life but in the Legislature," said Mr. Newcomb. "I suppose you are all just such talk as he has given us now which leads to these contemptuous references to the Legislature. No wonder the public talk in contempt of the Legislature when members seeking self-advertisement give them the cue. I drafted the Senate investigating resolution and it was accepted by every one."

"This committee will consult with the Superintendent of Insurance and will not duplicate any of the work that he has done, but will follow the leads that he has opened up, as was suggested by his report to Gov. Hughes and by Gov. Hughes in his message to the Legislature. You can't expect a person making a charge to swear to something he doesn't know, and some Senators are throwing dust in the eyes of the public for reasons well known to themselves when they intimate that the committee is confined to investigating verified charges. The committee itself can inaugurate any line of inquiry desired without regard to filed charges."

Senator Brackett criticized Senator Newcomb for his remarks touching the contempt in which the Legislature is held and insisted they were not warranted. He did not believe the Legislature was despised of all men nor that Senator Newcomb was justified in saying so.

Sensors Davenport, Wainwright and Agnew also criticized the resolution. Lieut.-Gov. White, the chairman of the Finance Committee, reviewed the deliberations of the Senate and Assembly which led to the adoption of the resolution as it stands to-day and declared it was beyond honest adverse criticism. The Lieut.-Gov. Grady also defended the resolution as it stands.

When the resolution in its amended form was transmitted to the Assembly the amendment was concurred in immediately and without comment.

## NEW LIFE INSURANCE.

Bill Repealing Limitation of \$150,000—  
000 Reported Favorably.

ALBANY, May 24.—The bill of Assemblyman Allen which repeals the provision of the Hughes insurance code that life insurance companies cannot write more than \$150,000 of business in any one year was reported favorably and ordered to a third reading to-day in the Senate. This bill is favored by Gov. Hughes and is one of the few measures he has given his approval to before its introduction in the Legislature.

The Senate to-day passed Assemblyman Allen's bill permitting casualty insurance companies to insure against accidents from flywheels and against damages from the operation of automobiles other than accidents in addition to the lines of insurance they may now carry on.

The Assembly also passed another bill of Assemblyman Allen's which extends the jurisdiction of the State Insurance Department to Lloyd's insurance organizations. Gov. Hughes sent an emergency message to the Legislature upon each of these measures.

## MURRAY STILL POUNDING ON INCOME TAX.

ALBANY, May 24.—Assemblyman Andrew F. Murray of New York, chairman of the Federal income tax amendment in the lower house, gave notice in the Assembly to-day that tomorrow he would move to suspend the rules in order to get the Davenport Federal income tax resolution before the house for discussion. The Assembly passed a vote of passing the resolution under Mr. Murray's name. It requires twenty-six votes to lay aside the rule Mr. Murray wants suspended.

## ALBANY COST OF LIVING INQUIRY.

ALBANY, May 24.—The Assembly to-day passed Assemblyman Garfield's bill appointing a commission of five Assemblymen and three Senators and two citizens at large to investigate the high cost of living. An appropriation of \$15,000 is provided for the commission.

## EMPLOYERS' LIABILITY BILL.

Gov. Hughes Signs the Measure Over  
Which There Was Sharp Controversy.

ALBANY, May 24.—Gov. Hughes tonight signed the so-called permissive employers' liability bill of Assemblyman C. W. Phillips. This is the measure which was opposed vigorously by the Manufacturers Association and the steam and surface railroad companies through their representatives at a hearing before Gov. Hughes on Friday last. The validity of the measure was then attacked on the ground that it violated both the Federal and State constitutions. The bill was as warmly defended by officers of the State Federation of Labor and various other representatives of organized labor.

The bill amends the employers' liability law by modifying the assumption of risk rule so that the fact that an employee continues in his work after discovering defects or violations of law by the employer shall not bar him from his right of action either as a matter of fact or a matter of law.

It modifies the fellow servant rule by making the employer liable for the negligence of a person exercising any superintendence and for the negligence of a person entrusted with authority to direct, control or command any employee in the performance of the duty of such employee. The bill changes the burden of proof as to contributory negligence so as to require the employer who has been proved negligent to assume the burden of proving the contributory negligence of the injured employee.

It also contains a provision intended to prevent an employer from escaping liability for defects in his plant by employing a contractor or sub-contractor. After thus amending the liability law the bill provides for what has been termed a permissive or voluntary compensation scheme by the consent of the employer and any of his employees, which consent must be filed in the County Clerk's office. After the filing of such consent the employer is relieved from liability under the employers' liability act and becomes in place thereof liable for all injuries to such consenting employees and for the compensation provided for by the bill.

The schedule of compensation provided for consists of the payment of four years wages in case of death, but not to exceed \$3,000. It provides in case of injury for the payment to the injured employee of one-half of his decreased wages due to the injury, not to exceed \$10 a week, and such payments not to extend beyond a period of eight years.

Gov. Hughes, signing the bill, said: "Mr. Fowler, the amendment of the bill to require that persons released by a court may be required to make restitution to aggrieved persons for an amount equal to the actual loss or damage caused by the offense, that a violator may be required to support his children, and that the case of a probationer may be transferred from the Supreme to a county court."

Senator Allen's, providing for the sale or exchange of canal lands for other lands required for the canals, the transfer to be made effective through quit claim deeds given by the State Superintendent of Public Works.

Senator Bayne's, amending the penal law so as to make the mutilation, destruction or concealment of a will a felony.

Senator Bayne's, amending the code of civil procedure as to the production of a will or testamentary instrument that may be held in concealment.

NEW CHARTER GOES OVER.  
Legislature Puts Off Consideration for a  
Year at Mayor Gaynor's Request.

ALBANY, May 24.—While it has been understood for some time that the Legislature would not have in charge the New York City Charter and that former Assemblyman E. W. Hammond of Syracuse is chairman was in favor of postponing action on the Charter until next year, this course was finally decided upon to-day as a result of a letter received from Mayor Gaynor. The letter is addressed to the counsel of the committee, Julius M. Mayer, and reads:

DEAR JUDITH MAYER: I feel quite safe in leaving the whole matter to you, but I feel, as I have several times said, that it will be better to postpone the passing of the Charter until the beginning of the next Legislature so that the city authorities, the city ladies and all of us may consider it carefully during next summer and fall and propose amendments. In that way we shall get the new Charter in a state approaching perfection. What I am most concerned about is to have you and those who are assisting you continued over in the work so that you may work with us next summer and fall. I have perceived in my talks with you that you have a complete comprehension of the entire matter, have everything at your fingers ends, as the saying is.

I know of no one who has the grasp of the subject which you have. It would be too bad for us to be without your assistance and left to pick up the threads ourselves, or with new advisers. The work done by the present committee under your advice is more than has ever been done heretofore to give the city of New York a properly drawn and considered Charter. Can you not redraw the entire Charter and still reduce it by one half of the bulk of its present proposed form? That work can never be properly done, in my judgment, except by one hand. I have long wished to do it, but alas! so many things press upon me now that I can only help a little. Sincerely yours,

W. J. GAYNOR, Mayor.

When the charter bill was reached on the order of final passage in the Assembly Assemblyman Conklin read Mayor Gaynor's letter, which he said was only one of several communications received by the commission urging that the Charter proposition go over for a year.

Assemblyman A. E. Smith endorsed Mayor Gaynor's letter and said the Mayor had the right idea of it. Mr. Smith insisted, however, that the Charter should be amended to put back the equal pay for school teachers provision, which the Assembly Cities Commission has chopped out of the Charter.

The New York Democrats in the House insisted that the Assembly should go on record on the various amendments offered. Assemblyman Smith insisted that the teachers of New York City had a right to know what the Assembly's feeling in the matter was. It is seldom that legislative committee's actions turned down, but Mr. Smith scored his point and by a vote of 78 to 12 the equal pay clause was again inserted in the Charter.

The resolution continuing the Charter commission in existence as Mayor Gaynor suggested was then handed down by Speaker Wadsworth and it was adopted and the charter bill was taken off the calendar.

## NEW EXCISE BILL FAILS.

One Limiting Number of Saloons and  
Shortening Hours Lacks Five Votes.

ALBANY, May 24.—Assemblyman Conklin, who is handling the State Excise Department's excise law amendments, had bad luck with the first of the series in the Assembly to-day and put the others over. The measure, limiting saloons to one for every 750 population and prohibiting the opening of saloons in cities of the first and second class before 8 A. M. instead of 5, was lost by a vote of 71 to 12.

Mr. Conklin made a hard fight to get five more votes to pass the bill, but failed. He made the usual motion to reconsider the vote and he will probably call that motion from the table to-morrow.

## ANGRY OVER GOVERNOR'S VETO

ASSEMBLYMAN YOUNG RESENTS  
"INFAMOUS SUGGESTIONS."Denies That His Bill Providing for Sur-  
render of Lands Under Water for  
Beneficial Purposes Was Really for  
Benefit of the New York Central.

ALBANY, May 24.—Gov. Hughes to-day sent a message to the Assembly vetoing the bill of Assemblyman F. L. Young of Westchester, which proposed an amendment to the public lands law to confer authority upon the Commissioners of the Land Office to accept surrenders of lands under water heretofore granted to proprietors of adjacent lands for the purposes of commerce and thereupon to make grants to such proprietors in proper terms for beneficial enjoyment or for agricultural purposes.

A hearing on the Young bill was given before Gov. Hughes yesterday, when Assistant Corporation Counsel Max Cohen of Yonkers and James R. Ludlow, a landowner of the same city, appeared in opposition to the bill. A letter had been widely circulated declaring that the Young bill had been "secretly and mysteriously pushed through the Senate and Assembly," and it had also been charged from other directions that Mr. Young was attempting to put a bill through in an underhanded manner solely for the interests of the New York Central.

At the hearing yesterday Mr. Young denied all the allegations.

The Governor's veto was couched in such terms as to arouse a characteristic speech from Mr. Young in the Assembly to-day. Mr. Young is one of the most forceful speakers in the Legislature. His speeches against the Federal income tax and the Hinman-Green bill attracted special comment in the Legislature. When he concluded a speech in his own defense to-day the Assembly gave him hearty applause. Some of Mr. Young's friends, Republicans and Democrats, urged that he move to pass the bill again over the Governor's veto. Mr. Young held the Assembly in check.

"I merely want my associates on the floor of this house to pay no heed to the charges being made that this measure was introduced in the interest of or at the instigation of the New York Central Railroad or any other corporation," declared Mr. Young. "I cannot understand why the Chief Executive of this State should send a message couched in such suggestive terms. There has been absolutely no occasion for this. It has been suggested that Gov. Hughes had vetoed this bill because of speeches I have made upon the floor of this house. I do not believe it. I do not believe that the Governor of this great State would stoop to such petty tactics."

"But this message contains a covert suggestion that the bill is in the interests of the New York Central. I deny it; it isn't so; I want my associates here to ignore such erroneous, damaging and infamous suggestions or statements. I don't want the Assembly to attempt to pass this bill over the Governor's veto. I merely want the House to understand that the covert suggestions or inferences are unwarranted and to give them firm denial."

In his veto message Gov. Hughes said: "It has been urged that this measure is intended to give a power to the commissioners which formerly was supposed to exist and that if exercised in favor of those who under certain circumstances have taken grants for purposes of commerce it will promote the development and security of industries."

On the other hand it is suggested that the purpose intended to be accomplished is to lay a basis for surrendering the land to the State for the purpose of making grants for purposes of commerce, ostensibly in the interest of the proprietors of certain lands along the Hudson and on terms suitable from that point of view, while in fact the grant would more to the benefit of the New York Central and its allies. It is further suggested that transfers from the grantee company under arrangements to be made or already made.

Whatever may be the merits of these suggestions there is a fundamental question involved which this bill brings before us for consideration. Lands under water belonging to the State, particularly in the lower part of the Hudson, and along Westchester county and Long Island, are possessions of the greatest importance to the people of the State and should be parted with only on conditions absolutely safeguarding the common interest.

Before making further grants for beneficial enjoyment there should be a careful examination to ascertain those present rights of the State in lands under water and the effect of grants heretofore made. There should be careful statutory provision requiring adequate scrutiny and appraisal in cases of applications for grants, and wherever rights are granted there should be provision for such compensation, and for such revaluation at stated periods, and for such limitations as will secure to the State the returns which are proper for the privileges it gives and also suitable reversionary rights in case that State or municipalities may need the property for public purposes.

## IDENTIFICATION OF VOTERS.

Assemblyman Wood Fails to Get One of  
the Parsons Bills Passed.

ALBANY, May 24.—Assemblyman A. E. Smith took an hour and a half to-day to denounce one of the series of Herbert Parsons's election reform bills that Assemblyman Artemus Ward has been trying to get through the Legislature since January 1. The bill was the so-called identification of voters measure, which Mr. Smith said would give "any nondescript" who might drift into the city of New York at any time the right to hold up a lifelong citizen at the polls at election day and compel him to swear in his vote.

Mr. Ward had half a dozen Assemblymen scouring the chamber and the Capitol corridors digging up stray members while Mr. Smith was attacking the bill. Mr. Ward failed to get a sufficient number on hand to pass the measure and it was lost by a vote of 73 to 48, lacking three of the necessary votes to pass.

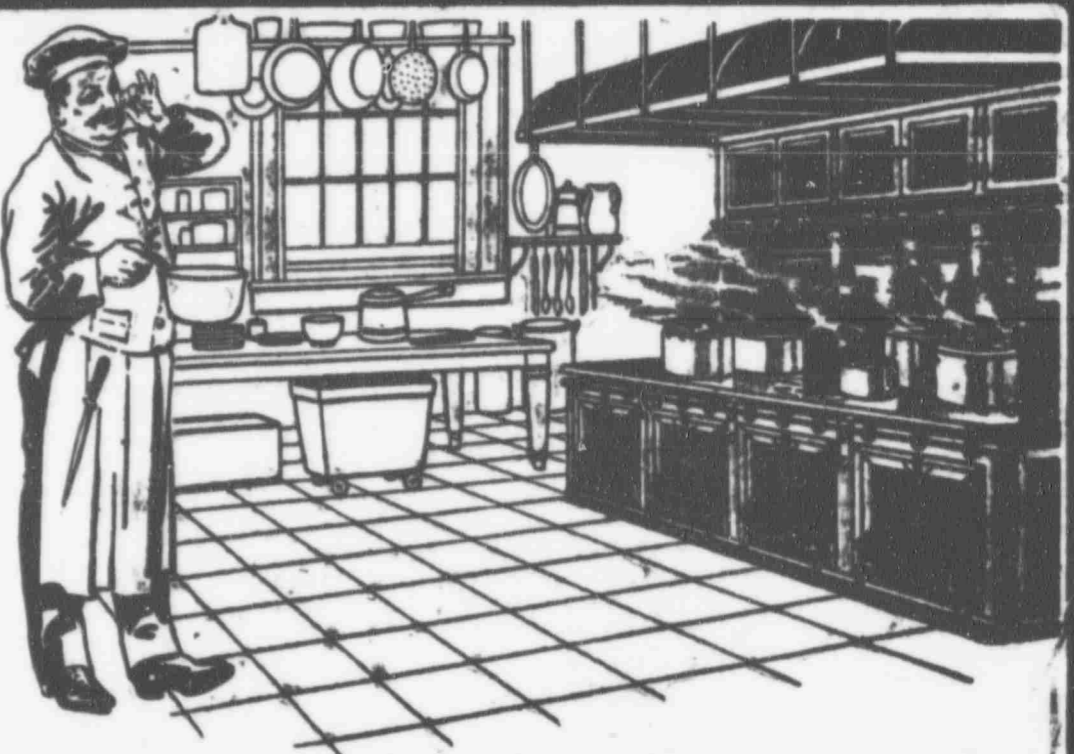
Mr. Ward gave the usual motion to reconsider the vote and there was no objection to putting this motion on the table to give Mr. Ward a chance to, call the measure up again.

## P. S. COMMISSION POWERS.

Bill Giving Jurisdiction of Telephones and  
Telegraphs Goes to Governor.

ALBANY, May 24.—The Assembly to-night concurred in the Senate amendments to the public service law amendments' bill of Assemblyman Parker and the bill now goes to the Governor for his approval in a form which is satisfactory both to the Public Service Commissions and to the Governor. By a vote of 37 to 7 the Senate passed the Assembly bill putting telegraph and telephone companies under the jurisdiction of the up-State Public Service commission.

Senator Grady insisted that the Legislature was devoting too much of its constitutional power upon commissions and that the usual motion to reconsider the vote and he will probably call that motion from the table to-morrow.

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Kitchen.

FLOOR space in New York City is more valuable than in any other city in the world. Economy in its use with an increase in its productiveness for business purposes is therefore "good business."

During the month of April, hotel and restaurant proprietors in the Borough of Manhattan gave orders for 173 lineal or running feet of gas ranges.

These figures do not include an order for a gas range 60 feet long, now being constructed for one of New York City's best known hotels.

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Consolidated Gas Company of New York

GEO. B. CORTELYOU, President

## CAUCUS ON DIRECT PRIMARY

REPUBLICANS HOPE TO GET  
26 VOTES FOR COBB BILL.Conference Decides to Call a Caucus at  
Noon To-day 22 Votes in Favor of  
Measure in Conference, With 4 Absentees—No Democratic Aid at Hand.

WASHINGTON, May 24.—Vice-President Sherman was talking with three or four Senators in the lobby of the Senate this afternoon when Ty Cobb, Detroit's famous right fielder, entered with Secretary Bennett of the Senate. Mr. Bennett stopped with the baseball player a few feet from the Vice-President and started to introduce him to one or two friends. The Vice-President happened to overhear the introduction and breaking off his conversation with the Senators, turned quickly and hurried toward Bennett.

"What's that?" said Vice-President Sherman. "Did I hear you say Ty Cobb? I don't want to miss anything like this!"

Secretary Bennett introduced the baseball player and they complimented the Vice-President upon his good taste in being such an enthusiastic baseball rooster.

"I am going out to the game this afternoon," said the Vice-President, "and I want to see you knock the ball out of the lot."

"You look much bigger in uniform than you do now," added the Vice-President, edging off and sizing Ty up from his heels to his head.

By this time Senators Clay, Bacon, Purcell and others had begun to wonder who the bronzed individual was that the Vice-President was so interested in. They soon found out and shook Ty's hand. The Detroit player had lunch in the Senate restaurant and was the centre of attraction.

These Republican Senators who opposed the Hinman-Green bill and the compromise bill were inclined to be indignant to-night because those who favored the compromise bill decided upon a caucus and to force them to become bolters or vote for the compromise.

There are enough Republican Senators to beat the compromise bill if they have the courage of their convictions to stay away from the caucus. What position these Senators will take will be determined in the morning. They may think it a wise policy to attend the caucus and be bound by it and depend upon the Assembly to kill the compromise bill.

It was pointed out to-night that when the late Senator John Raines was leader and a majority of the State Senators were opposed to the Hinman-Green bill he re-

## STANDARD OIL LOSSES.

Court Refuses a Rerearing in \$20,000  
Fine Case.

The Standard Oil Company of New York failed yesterday to get a rerearing in the United States Circuit Court of Appeals on its appeal from the judgment secured by the Government in the Federal court at Buffalo. The oil company was found guilty of accepting concessions or rebates from the Pennsylvania Railroad, the New York Central and the Rutland Railroad on oil shipments between Olean, N. Y.; Rutland, Vt., and Belows Falls, Vt., in violation of the Elkins

rebate law. A fine of \$20,000 was imposed. An appeal was taken at once to the Circuit Court of Appeals here, which handed down a few weeks ago a decision affirming the verdict of the lower court. In the opinion of the court written at that time the following paragraph was objected to by counsel for the oil company as inaccurate: "In most of the percentage sheets it would have been impossible to ascertain that the route intended was by way of Buffalo except by more or less intricate calculations based upon stated mileage."

In refusing a rerearing the higher court admits that the statement is inaccurate, but says that the inaccuracy does not affect the substance of the opinion and cannot therefore furnish grounds for a rerearing.

## ALL CARS TRANSFER TO

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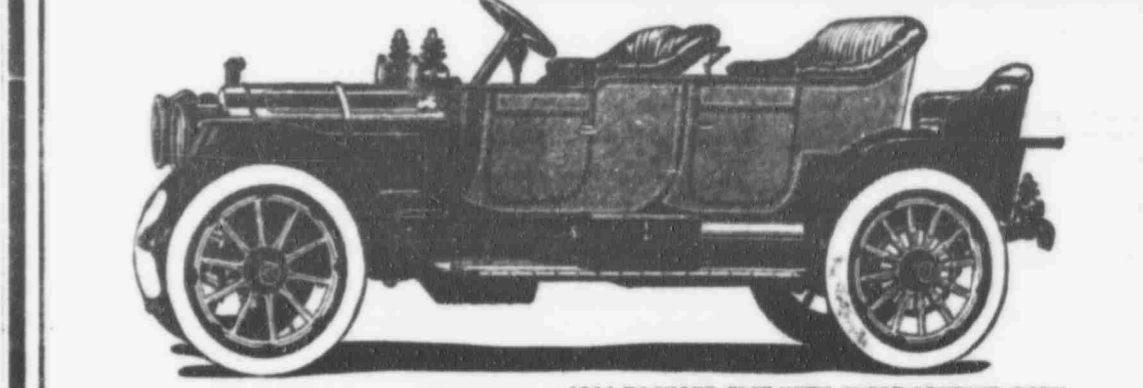
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Heinz Ketchup keeps perfectly without drugs for the same reason that it is richer and more delicious—it is made from fresh, ripe garden tomatoes by clean methods.

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OF OPEN AND ENCLOSED CARS

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